

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ULILUS DUBARD,

Plaintiff,

Civil Action No.  
10-CV-12740

vs.

HON. MARK A. GOLDSMITH

ERIC BUCKBERRY, et al.,

Defendants.

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**ORDER (1) ADOPTING REPORT AND RECOMMENDATION, (2) GRANTING  
DEFENDANT BUCKBERRY'S MOTION TO DISMISS, AND (3) DISMISSING THE  
CASE**

This matter is presently before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge Majzoub, entered on October 3, 2011. The Magistrate Judge recommends that the motion to dismiss filed by the one remaining Defendant, Eric Buckberry, be granted. Plaintiff has not filed objections to the R&R and the time to do so has expired. Thus, Plaintiff has waived any further right to appeal. Thomas v. Arn, 474 U.S. 140, 155 (1985). In any event, the Court has reviewed the R&R and finds that the Magistrate Judge has reached the correct result for correct reasons.

Accordingly, the Magistrate Judge’s R&R (Dkt. 21) is accepted and adopted as the findings and conclusions of the Court. The case is dismissed with prejudice.

SO ORDERED.

Dated: November 16, 2011  
Flint, Michigan

s/Mark A. Goldsmith  
MARK A. GOLDSMITH  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on November 16, 2011.

s/Deborah J. Goltz

DEBORAH J. GOLTZ

Case Manager